

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

ATLANTIC CITY COIN & SLOT
SERVICE COMPANY, INC.

Plaintiff

v.

PULSAR PUERTO RICO, INC. D/B/A
DIAMOND PALACE HOTEL AND
CASINO

Defendant.

CIVIL NO.: 07-1697(JAF)

**PLAINTIFF DEMANDS
TRIAL BY JURY**

JUDGMENT

Before the Court is a Motion for Entry of Default Judgment filed by plaintiff Atlantic City Coin & Slot Service Company, Inc. (“A.C. Coin”) against defendant Pulsar Puerto Rico, Inc. d/b/a Diamond Palace Hotel and Casino (“Diamond Palace”). Docket #9. The Clerk of the Court entered default against defendant Diamond Palace on September 24, 2007. Docket #7.

Given that A.C. Coin’s claim against the Diamond Palace is for a sum certain or a sum which can by computation be made certain, as shown in the statements under penalty of perjury of Ms. Kathleen Caracciolo (Docket #4, Ex. 1; Docket #5, Ex. 1), pursuant to FRCP 55(b) the Court hereby enters JUDGMENT in the amount of \$448,506.28, plus the sums accruable after September 10, 2007¹ per the agreements executed between the parties, which amount to a late charge calculated at a rate of 1.5% per month on the unpaid amount due for the 30 IGT slot machines leased to the Diamond Palace (Docket #4, Ex. 2) and a daily charge of \$480.00 for the ten (10) Bankroll® games property of A.C. Coin and currently in Diamond Palace’s possession

¹ September 10, 2007 is the date of the signature of the Statement under Penalty of Perjury of Ms. Kathleen Caracciolo, providing a computation of the sums owed by defendant up to that date. Docket #5, Ex. 1.

(Docket #4, Ex. 4), plus costs and expenses. Plaintiff shall file a Bill of Costs within the time period provided for in Local Rule 54 of this District.

In addition, the Court ORDERS the immediate seizure and return of the ten Bankroll® games installed at the Diamond Palace (Docket #4, Ex. 5), which belong to A.C. Coin and are currently in Diamond Palace's possession, plus any other equipment installed and/or delivered by A.C. Coin in order to operate said games, pursuant to Art. 393 of the Puerto Rico Civil Code.

IT IS HEREBY ORDERED that the Clerk shall issue any writs as may be necessary to carry out the instant Judgment. The United States Marshall executing this Judgment shall notify the Tourism Company of Puerto Rico of the seizure of the property described above, in order to protect the interests of the Government of Puerto Rico in the money collected from said slot machines.

SO ORDERED.

In San Juan, Puerto Rico, this 26th day of September, 2007.

s/ José Antonio Fusté
JOSÉ ANTONIO FUSTÉ
CHIEF U.S. DISTRICT JUDGE